

# HB160 INTRODUCED



1 HB160  
2 N7WW8J8-1  
3 By Representative Hall  
4 RFD: State Government  
5 First Read: 14-Feb-24



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SYNOPSIS:

Existing law establishes state holidays.

This bill would specify that the State of Alabama shall observe as holidays all days designated as a holiday by the federal government.

This bill would delete duplicative language and would also make nonsubstantive, technical revisions to update the existing code language to current style.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to state holidays; to amend Section 1-3-8, Code of Alabama 1975; to specify that the State of Alabama shall observe as holidays days designated as a holiday by the federal government; and to delete duplicative language and make nonsubstantive, technical revisions to update the existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1-3-8, Code of Alabama 1975, is amended to read as follows:

"§1-3-8

(a) ~~Sunday, Christmas Day, New Year's Day, Martin~~



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29 ~~Luther King, Jr.'s birthday, Robert E. Lee's birthday, George~~  
30 ~~Washington's birthday, Thomas Jefferson's birthday,~~  
31 ~~Confederate Memorial Day, National Memorial Day, Jefferson~~  
32 ~~Davis' birthday, the Fourth day of July, Labor Day, Columbus~~  
33 ~~Day and Fraternal Day, Veterans' Day, American Indian Heritage~~  
34 ~~Day, and the day designated by the Governor for public~~  
35 ~~thanksgiving shall each be deemed a holiday. If any holiday~~  
36 ~~falls on Sunday, the following day is the holiday. If any~~  
37 ~~holiday falls on Saturday, the preceding day is the holiday.~~  
38 ~~Veterans' Day shall be observed by the closing of all state,~~  
39 ~~county, and municipal offices, all banks located within this~~  
40 ~~state, and the public schools on such day. Public schools,~~  
41 ~~grades K to 12, inclusive, and all public two-year~~  
42 ~~institutions of higher education shall also be closed on~~  
43 ~~National Memorial Day, and such closing shall be applicable to~~  
44 ~~all students and non-essential employees. The State of Alabama~~  
45 ~~shall recognize and observe the following days as public and~~  
46 ~~legal holidays:~~

47 (1) All days which have been designated as of January  
48 1, 2023, as public and legal holidays by the federal  
49 government.

50 (2) All other days designated and proclaimed by the  
51 Governor as public and legal holidays or as days of fasting  
52 and prayer or other religious observance. If the Governor  
53 designates additional days pursuant to this subdivision, the  
54 Governor shall include at least one of the following dates:

55 a. The third Monday in January.

56 b. The fourth Monday in April.



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57 c. The first Monday in June.

58 d. A suitable date in lieu thereof to commemorate the  
59 event or events observed by the dates in paragraphs a. through  
60 c.

61 (b) If any holiday falls on Sunday, the following day  
62 is the holiday. If any holiday falls on Saturday, the  
63 preceding day is the holiday.

64 (c) The Governor shall close all state offices and  
65 facilities a minimum of 13 days throughout the year and not  
66 more than 13 days in observance of the public and legal  
67 holidays and other days set forth in subsection (a). The  
68 Governor shall also specify the days state offices and  
69 facilities shall be closed in observation of public and legal  
70 holidays.

71 (d) The Superintendent of Banks, with the concurrence  
72 of not less than two members of the state Banking Board, may  
73 authorize ~~any state bank to close on National Memorial Day,~~  
74 ~~the last Monday in May,~~ the closure of state banks in  
75 observance of any state or federal holiday and on ~~such~~ any  
76 other ~~days~~ day as may be declared by the Governor to be a  
77 state ~~holidays~~ holiday or by the President of the United  
78 States to be a federal holiday in honor of a special event. If  
79 ~~any authorized~~ a state holiday falls on Friday, the  
80 Superintendent of Banks may authorize the Saturday following  
81 that Friday to be a holiday. The superintendent may also  
82 authorize the closing of banks at 12:00 noon on the day prior  
83 to Christmas Day~~r~~ and the day prior to New Year's Day, if ~~such~~  
84 ~~days~~ the holidays fall on business days.



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85 ~~(b) Of the above enumerated legal public holidays, the~~  
86 ~~following shall be observed on the dates herein prescribed:~~

87 ~~(1) Robert E. Lee's birthday - the third Monday in~~  
88 ~~January.~~

89 ~~(2) George Washington's birthday - the third Monday in~~  
90 ~~February.~~

91 ~~(3) Confederate Memorial Day - the fourth Monday in~~  
92 ~~April.~~

93 ~~(4) Jefferson Davis' birthday - the first Monday in~~  
94 ~~June.~~

95 ~~(5) Columbus Day and Fraternal Day - the second Monday~~  
96 ~~in October.~~

97 ~~(6) Veterans' Day - the eleventh day of November.~~

98 ~~(7) Martin Luther King, Jr.'s birthday - the third~~  
99 ~~Monday in January.~~

100 ~~(8) National Memorial Day - the last Monday in May.~~

101 ~~(9) Thomas Jefferson's birthday - the third Monday in~~  
102 ~~February.~~

103 ~~(10) American Indian Heritage Day - the second Monday~~  
104 ~~in October.~~

105 ~~(c)~~ (e) (1) In addition to the legal holidays provided  
106 ~~above~~ in subsection (a), Mardi Gras shall be deemed a holiday  
107 in Mobile and Baldwin Counties and all state offices shall be  
108 closed in those counties on Mardi Gras.

109 ~~(d)~~ (2) All ~~In addition to the legal holidays provided~~  
110 ~~above all~~ state employees, ~~except~~ other than those employed in  
111 Baldwin and Mobile Counties, shall be granted one personal  
112 leave day per year. The personal leave day shall be granted on



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113 January 1 of each year. All state employees employed in  
114 Baldwin and Mobile Counties shall be granted no personal leave  
115 day. All ~~such~~ personal leave days granted in any year pursuant  
116 to this section shall be used by the end of the calendar year. ~~All such personal leave days shall~~ and must be scheduled  
117 during the year with the approval of the supervisor.  
118 Supervisors failing to schedule personal leave days for  
119 employees shall justify that action in writing to the Director  
120 of State Personnel and the employee shall receive pay at a  
121 rate not less than the employee's usual and customary rate of  
122 pay for any personal leave day not taken by December 31 of  
123 each year.  
124

125 ~~(e) (f) (1) All state holidays shall be observed by the~~  
126 ~~closing of all state offices.~~ Any state office may remain open  
127 on a state holiday upon written notice by the appointing  
128 authority to the State Personnel Board at least 60 days in  
129 advance of the holiday. ~~Provided, that~~ In addition, any state  
130 office may be opened in the event of an emergency, and the  
131 State Personnel Board may grant a blanket approval for the  
132 ~~openings~~ opening of state offices needing to be open on  
133 holidays on a regular basis for essential services.

134 (2) Any state employee working on a state holiday shall  
135 receive a day of compensatory leave or paid compensation in  
136 lieu of the holiday ~~as provided herein~~.

137 ~~(f) (g)~~ Each employee shall attempt to schedule any  
138 compensatory leave day provided in lieu of a regularly  
139 scheduled holiday, subject to the approval of ~~the~~ his or her  
140 supervisor, during the quarter that the regularly scheduled



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141 holiday occurred. If any compensatory leave day cannot be  
142 scheduled during the designated quarter, the compensatory  
143 leave day may be accumulated at the request of the employee  
144 for up to one year. Supervisors failing to schedule  
145 compensatory leave days for employees within the quarter,  
146 unless the day is carried forward at the request of the  
147 employee, shall justify that action in writing to the Director  
148 of State Personnel and the employee shall receive pay at a  
149 rate not less than the employee's usual and customary rate of  
150 pay for any compensatory leave day to which the employee may  
151 be entitled and which has not been taken.

152 ~~(g) (1)~~ (h) (1) The first day in December of each year is  
153 designated as Mrs. Rosa L. Parks Day in this state. All  
154 citizens of this state are requested to devote some portion of  
155 Mrs. Rosa L. Parks Day to commemorate the accomplishments of  
156 Mrs. Rosa L. Parks, a woman of great courage, vision, love,  
157 and faith who helped usher in the modern civil rights movement  
158 on December 1, 1955, by refusing to give up her seat on a bus  
159 in Montgomery, Alabama. Each resident of this state is  
160 requested to observe the day with appropriate activities.

161 (2) Each county and municipality may elect to observe  
162 Mrs. Rosa L. Parks Day as a holiday."

163 Section 2. This act shall become effective on January  
164 1, 2025.